



Police and Justice Act 2006

2006 CHAPTER 48

PART 3

CRIME AND ANTI-SOCIAL BEHAVIOUR

Crime and disorder

19 Local authority scrutiny of crime and disorder matters

- (1) Every local authority shall ensure that it has a committee (the “crime and disorder committee”) with power—
 - (a) to review or scrutinise decisions made, or other action taken, in connection with the discharge by the responsible authorities of their crime and disorder functions;
 - (b) to make reports or recommendations to the local authority with respect to the discharge of those functions.

“The responsible authorities” means the bodies and persons who are responsible authorities within the meaning given by section 5 of the Crime and Disorder Act 1998 (c. 37) (authorities responsible for crime and disorder strategies) in relation to the local authority’s area.
- (2) Where by virtue of subsection (1)(b) the crime and disorder committee makes a report or recommendations it shall provide a copy—
 - (a) to each of the responsible authorities, and
 - (b) to each of the persons with whom, and bodies with which, the responsible authorities have a duty to co-operate under section 5(2) of the Crime and Disorder Act 1998 (“the co-operating persons and bodies”).
- (3) Where a member of a local authority (“the councillor”) is asked to consider a local crime and disorder matter by a person who lives or works in the area that the councillor represents—
 - (a) the councillor shall consider the matter and respond to the person who asked him to consider it, indicating what (if any) action he proposes to take;

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(b) the councillor may refer the matter to the crime and disorder committee.

In this subsection and subsections (4) to (6) “local authority” does not include the county council for an area for which there are district councils.

- (4) Where a member of a local authority operating executive arrangements declines to refer a matter to the crime and disorder committee under subsection (3)(b), the person who asked him to consider it may refer the matter to the executive of that authority.
- (5) Where a matter is referred under subsection (4) to the executive of a local authority—
- (a) the executive shall consider the matter and respond to the person who referred the matter to it, indicating what (if any) action it proposes to take;
 - (b) the executive may refer the matter to the crime and disorder committee.
- (6) The crime and disorder committee shall consider any local crime and disorder matter—
- (a) referred to it by a member of the local authority in question (whether under subsection (3)(b) or not), or
 - (b) referred to it under subsection (5),
- and may make a report or recommendations to the local authority with respect to it.
- (7) Where the crime and disorder committee makes a report or recommendations under subsection (6) it shall provide a copy to such of the responsible authorities and to such of the co-operating persons and bodies as it thinks appropriate.
- (8) An authority, person or body to which a copy of a report or recommendations is provided under subsection (2) or (7) shall—
- (a) consider the report or recommendations;
 - (b) respond to the crime and disorder committee indicating what (if any) action it proposes to take;
 - (c) have regard to the report or recommendations in exercising its functions.
- (9) In the case of a local authority operating executive arrangements—
- (a) the crime and disorder committee is to be an overview and scrutiny committee of the authority (within the meaning of Part 2 of the Local Government Act 2000 (c. 22));
 - (b) a reference in subsection (1)(b) or (6) to making a report or recommendations to the local authority is to be read as a reference to making a report or recommendations to the local authority or the executive.
- (10) Schedule 8 (which makes further provision about the crime and disorder committees of local authorities not operating executive arrangements, made up of provision corresponding to that made by section 21 of the Local Government Act 2000 and particular provision for the City of London) has effect.
- (11) In this section—
- “crime and disorder functions” means functions conferred by or under section 6 of the Crime and Disorder Act 1998 (c. 37) (formulation and implementation of crime and disorder strategies);
- “executive arrangements” means executive arrangements under Part 2 of the Local Government Act 2000;
- “local authority” means—

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- (a) in relation to England, a county council, a district council, a London borough council, the Common Council of the City of London or the Council of the Isles of Scilly;
- (b) in relation to Wales, a county council or a county borough council;
“local crime and disorder matter”, in relation to a member of a local authority, means a matter concerning—
 - (a) crime and disorder (including in particular forms of crime and disorder that involve anti-social behaviour or other behaviour adversely affecting the local environment) in the area represented by the member, or
 - (b) the misuse of drugs, alcohol and other substances in that area.